IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 900 of 2004 (S/S)

1. Mohd. Ali
   S/o Sri Amir Hussain
2. Rustam Ali
   S/o Sri Eshan Ali
3. Sahadat Hussain
   S/o Mangoo
4. Noor Mohammad
   S/o Chidda
5. Nanhay
   S/o Mohd. Hussain
6. Nathoo Sah
   S/o Sri Alijan

……. Petitioners

Versus

1. The Kisan Sehkari Chini Mills Ltd.
   Puranpur-Rajpur- Nadehi
   District Udham Singh Nagar.
2. General Manager
   The Kisan Sahkari Chini Mills Ltd.
   Puranpur-Rajpur- Nadehi,
   Jaspur (Udham Singh Nagar.)

……. Respondents

Mr. Rajesh Joshi, Advocate holding brief of Mr. T.A. Khan, learned counsel for the petitioners.
Mr. R.K. Raizada, counsel for respondent Nos. 1 and 2.

Hon'ble Prafulla C. Pant, J.

Heard learned counsel for the petitioners and learned counsel for respondents.

2) By means of this writ petition, the petitioners have sought their regularization in service. The petitioners are daily wage workers in Kisan Sahkari Chini Mills Ltd., Nadehi, District Udham Singh Nagar.

3) In view of the principle of law laid down in ***Secretary State of Karnataka Vs. Uma Devi, reported in (2006) 4 Supreme Court Cases page 01,*** that workers on daily wages or the persons who get employed without undergoing regular selection process, should not be permitted to be absorbed against the Constitutional Scheme of public employment, this Court is not inclined to issue direction to regularise services of the petitioners.

4) Therefore, the writ petition is dismissed. Interim order dated 01.03.2005, stand vacated. (All pending applications in this Petition also stand disposed of).

(Prafulla C. Pant, J.)

Dt.: November 13, 2006
H.Negi